

Supreme Judicial Court and Appeals Court of Massachusetts

Public Case Information



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SUPREME JUDICIAL COURT for the Commonwealth

Case Docket

COMMONWEALTH vs. CHRISTOPHER M. McCOWEN
SJC-09935

CASE HEADER

Case Status	Decided (Full Opinion)	Status Date	12/10/2010
Nature	Murder1 appeal	Entry Date	02/08/2007
Appellant	Defendant	Case Type	Criminal
Brief Status		Brief Due	
Quorum	Marshall, C.J., Ireland, Spina, Cowin, Cordy, Botsford, Gants, JJ.		
Argued Date	05/07/2010	Decision Date	12/10/2010
AC/SJ Number		Citation	458 Mass. 461
DAR/FAR Number		Lower Ct Number	
Lower Court	Barnstable Superior Court	Lower Ct Judge	Gary A. Nickerson, J.
Route to SJC	Direct Entry: Murder 1		

ADDITIONAL INFORMATION

Transcripts received: 28 volumes. Transcripts dates: 7/13/06, 7/14, 7/17, 7/18, 10/16, 10/17, 10/18, 10/19, 10/20, 10/23, 10/24, 10/25, 10/26, 10/27, 10/30, 10/31, 11/1, 11/2, 11/3, 11/6, 11/7, 11/8, 11/9, 11/10, 11/13, 11/14, 11/15 and 11/16. (Scanned)

Transcripts received: 4 volumes. Transcripts dates: 1/10/08, 1/11/08, 1/18/08 and 2/1/08. (Scanned)

INVOLVED PARTY

Commonwealth
Plaintiff/Appellee
Red brief filed, 18 Main
1 Ext, 21 Days

Christopher M. McCowen
Defendant/Appellant
Blue brief & appendix filed, 18 Main, 18 App, 18 Reply
7 Exts, 784 Days

ATTORNEY APPEARANCE

[Julia K. Holler](#), A.D.A.

[Robert A. George](#), Esquire
[Gary G. Pelletier](#), Esquire

DOCUMENTS

[Appellant McCowen Brief](#)

[Appellee Commonwealth Brief](#)

[Appellant McCowen Reply Brief](#)

DOCKET ENTRIES

Entry Date	Paper	Entry Text
02/08/2007	#1	Entered. Notice to counsel.
06/08/2007	#2	MOTION to extend to 12/5/07 filing of brief of Christopher M. McCowen by Robert A. George, Esquire.
06/11/2007		ALLOWANCE of Paper #2 to 12/05/2007 for filing of brief of Defendant/Appellant Christopher M. McCowen. Notice to counsel.

DOCKET ENTRIES

06/15/2007	#3	Two (2) certified, updated copies of the docket filed by Barnstable Superior Court Clerk's Office.
12/10/2007	#4	ASSENTED to MOTION to extend to July 2, 2008, filing of brief of Christopher M. McCowen by Robert A. George, Esquire.
12/11/2007		ALLOWANCE of Paper #4 to 07/02/2008 for filing of brief of Defendant/Appellant Christopher M. McCowen. No further enlargements anticipated. Counsel is to provide a status report every 30 days. Notice to counsel.
07/08/2008	#5	MOTION to extend to January 2, 2009 filing of brief of Christopher M. McCowen by Robert A. George, Esquire.
07/14/2008	#6	OPPOSITION to Paper #5, filed by Commonwealth. *Noted.
07/24/2008		ALLOWANCE of Paper #5 to 01/26/2009 for filing of brief of Defendant/Appellant Christopher M. McCowen. No further enlargements anticipated. Notice to counsel.
11/21/2008	#7	Motion for Post Verdict Inquiry of Jurors Pursuant to Commonwealth v. Fidler, is DENIED (Gary A. Nickerson, Justice). Appeal filed. Transcripts and Under Seal (Transcripts).
01/21/2009	#8	MOTION to extend to 4/26/09 filing of brief of Christopher M. McCowen by Robert A. George, Esquire.
01/26/2009	#9	OPPOSITION to Paper #8, filed by Commonwealth.
01/26/2009		ALLOWANCE of Paper #8 to 03/27/2009 for filing of brief of Defendant/Appellant Christopher M. McCowen. No further enlargements anticipated. Notice to counsel.
03/27/2009	#10	MOTION to extend to ? filing of brief of Christopher M. McCowen by Robert A. George, Esquire. 3/31/2009: AN EXTENSION OF TIME IS ALLOWED TO 60 DAYS AFTER THE ASSEMBLY OF RECORD ON THE APPEAL, IF ANY, FROM THE SECOND MOTION FOR NEW TRIAL. NO FURTHER REQUESTS FOR EXTENSIONS ARE ANTICIPATED. Notice to counsel.
07/01/2009	#11	APPEAL ON DENIAL OF RENEWED MOTION FOR NEW TRIAL. Brief/Appendix due 9/10/09.
09/08/2009	#12	MOTION to extend to 11/12/09 filing of brief in Excess of 50 pages of Christopher M. McCowen by Robert A. George, Esquire. SO MUCH OF THE MOTION THAT REQUEST AN EXTENSION OF TIME TO NOVEMBER 12, 2009 IS ALLOWED. NO FURTHER REQUESTS ARE ANTICIPATED. THE REQUEST TO FILE BRIEF IN EXCESS OF 50 PAGES IS DENIED. Notice to counsel.
11/12/2009	#13	MOTION to extend to 12/14/09 filing of brief of Christopher M. McCowen by Robert A. George, Esquire.
11/19/2009		ALLOWANCE of Paper #13 to 12/14/2009 for filing of brief of Defendant/Appellant Christopher M. McCowen. Notice to counsel. FURTHER REQUESTS FOR EXTENSIONS WILL NOT BE GRANTED. THE CASE IS SCHEDULED FOR ARGUMENT IN APRIL/MAY 2010.
12/08/2009	#14	MOTION to exceed page limit, filed for Christopher M. McCowen by Robert A. George, Esquire. ALLWED TO FILE 65 PAGE BRIEF. Notice to counsel.
12/14/2009	#15	NOTICE of Appearance of Gary G. Pelletier for Christopher M. McCowen.
12/14/2009	#16	SERVICE of brief & appendix for Defendant/Appellant Christopher M. McCowen by Robert A. George, Esquire, Gary G. Pelletier, Esquire.
12/16/2009	#17	18 Copies of Defendant-Appellant's Brief Errata Pages. REFERRED TO THE QUORUM.
01/25/2010	#18	NOTICE of April argument sent.
03/10/2010	#19	NOTICE of May argument sent.

DOCKET ENTRIES

03/12/2010 #20	MOTION to extend to 04/5/10 filing of brief of Commonwealth by Michael D. O'Keefe, District Attorney, Julia K. Holler, A.D.A..
03/12/2010	ALLOWANCE of Paper #20 to 04/05/2010 for filing of brief of Plaintiff/Appellee Commonwealth. No further enlargements anticipated. CASE IS SCHEDULED FOR MAY 7, 2010. Notice to counsel.
03/29/2010 #21	MOTION to exceed page limit, filed for Commonwealth by Julia K. Holler, A.D.A.. ALLOWED. NOT TO EXCEED 65 PAGES. Notice to counsel.
04/02/2010 #22	ORDERED for argument on May 7. Notice sent.
04/05/2010 #23	SERVICE of brief for Plaintiff/Appellee Commonwealth by Julia K. Holler, A.D.A..
05/04/2010 #24	SERVICE of appellant's reply brief for Christopher M. McCowen by Robert A. George, Esquire.
05/07/2010	Oral argument held. (CJM C CY B GA).
09/10/2010 #25	ORDER waiving 130-Day rule. Notice to counsel.
09/14/2010 #26	SUPPLEMENTAL CITATION Commonwealth v. Calvin Carnes, Jr., SJC-10523 and Commonwealth v. Helder Barbosa, SJC-10380 filed for Commonwealth by Julia K. Holler, A.D.A..
09/16/2010 #27	SUPPLEMENTAL CITATION Commonwealth v. Eric J. Durand, SJC-10356, 457 Mass. 574, 931 N.E.2d 950 (2010) filed for Christopher M. McCowen by Robert A. George, Esquire.
12/10/2010 #28	RESCRIPT (Full Opinion): Judgments affirmed. Order denying motions for a new trial affirmed. (By the Court) Reasons as on file. Notice sent.
01/07/2011	RESCRIPT ISSUED to trial court.

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